



DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:
CEMP-EA (1110)

13 MAY 1996

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Ensuring Full and Open Competition

1. In the past year, we have learned of instances throughout the Corps where restrictive specifications have been issued requiring proprietary builders' hardware. Specifically, locksets and lock cylinders with key-removable cores from the Best Lock Corporation are being specified to the exclusion of other manufacturers' equal products.
2. It is recognized that most installation engineers require the use of a single keying system throughout their area of responsibility. A single keying system for an entire installation can be conveniently and economically managed by use of lock cylinders with key-removable cores, a feature that until a few years ago was restricted by patent to the Best Lock Corporation. However, there are now a number of manufacturers (e.g., Arrow, Falcon, Sargent) that produce key-removable cores which are interchangeable with locksets and lock cylinders of other manufacturers. For example, Falcon cores operate in Best locks and can be master-keyed to Best grandmaster key systems (and vice versa), and most Falcon keyways are identical to Best keyways, allowing the keys to be cut on each other's key cutting equipment. This interchangeability allows the seamless extension of existing installation keying systems, regardless of manufacture, making the specification of proprietary systems typically unwarranted for this application.
3. As general policy, plans, drawings, specifications, standards, and purchase descriptions used for acquisitions shall state only the Government's actual minimum needs and will not unnecessarily restrict competition. Project hardware specifications will be based on the current edition of Corps of Engineers Guide Specification CEGS-08700, Builders' Hardware, and will not be written to require particular brand-names, products, or features of products peculiar to one manufacturer, unless:
 - a. The particular brand-names, products, or features are essential to the needs of the Government, and market research indicates that the items are not available from other companies, or that other companies' similar products do not meet, or can not be modified to meet, the project requirements; and

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b. The authority to contract without providing for full and open competition is supported by a Justification and Approval (J&A) in accordance with the FAR. Early coordination with contracting and counsel is required to verify current requirements for this method of contracting.

4. Where extension of an integrated master keying system is required within an existing designated area, the name of the manufacturer whose locks are presently installed will be specified followed by a statement requiring integrated keying with that system. In this case, to allow bids from other manufacturers who can meet specified requirements, the project specifications must indicate that "or equal" systems are acceptable, must define the salient characteristics of the system needed by the Government, and must identify all known "equal" systems.

5. This memorandum has been coordinated with the Principal Assistant Responsible for Contracting, the Office of Chief Counsel, and the Directorate Construction Division. The CEMP-EA point of contact is Mr. Rick Dahnke, telephone (202) 761-1203.


KISUK CHEUNG, P.E.
Chief, Engineering Division
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